

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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IN RE:	:	
Edwin Velazquez	:	Chapter 13
Maryflor Rivas-Velazquez	:	Case No.: 22-13002-MDC
Debtors.	:	

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**MOTION TO SELL REAL PROPERTY FREE  
AND CLEAR OF LIENS AND ENCUMBRANCES**

Edwin Velazquez and Maryflor Rivas-Velazquez (the “Debtors”), by and through their undersigned counsel, hereby move this Honorable Court to Sell their Real Property under Eastern District of Pennsylvania Local Rule 6004-1 and Section 363 of the United States Bankruptcy Code and in support thereof aver the following:

1. The Debtors filed the Chapter 13 Bankruptcy Petition on November 8, 2022.
2. The subject real property is located at 101 Osprey Way, Phoenixville, PA 19460 (the “Property”).
3. Debtors believe it to be in their best financial interest to sell the property.
4. In furtherance of the sale, the debtors retained the services of Gary A Mercer, a licensed broker of KW Greater West Chester.
5. On or about April 24, 2023, Debtors by and through their realtor, entered into an Agreement of Sale of the property in the amount of \$610,000.00. A true and correct copy of the Agreement of Sale is attached hereto and labeled as **Exhibit “A.”**
6. The buyer, Donald Aselton, is not an insider of the Debtor and the sale represents an arms-length transaction between the parties, made without fraud and/or collusion.
7. Nationstar Mortgage, LLC holds a mortgage in the approximate amount of \$351,250.00, and a second mortgage in the approximate amount of \$44,500.00.

8. Debtors are desirous of receiving the total combined exemption in the sum of \$55,800.00 from their portion of the sale proceeds plus any sums remaining after all claims are satisfied.

9. Any remaining proceeds after the Debtor's exemption shall be paid to and distributed by the chapter 13 trustee.

**WHEREFORE**, Debtors, by and through the undersigned counsel, respectfully request this Honorable Court to enter an Order: (i) Granting this Motion, (ii) Authorizing the Debtor to sell the Property to the proposed buyer under the terms of that Agreement for the Sale of Real Estate free and clear of liens, claims interests and encumbrances, and, (iii) Granting the Debtor such other and further relief to which they may be justly entitled.

Dated: May 2, 2023

/s/Brad J. Sadek, Esq

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